

STATE • INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

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IN THE MATTER OF THE PETITION)
OF ACN COMMUNICATION SERVICES INC.)
FOR A CERTIFICATE OF TERRITORIAL)
AUTHORITY TO PROVIDE FACILITIES-)
BASED AND RESOLD LOCAL EXCHANGE)
TELECOMMUNICATIONS SERVICES)
INCLUDING CALLER ID SERVICES)
THROUGHOUT THE STATE OF INDIANA)
AND FOR AN ORDER REQUESTING THE)
COMMISSION TO DECLINE TO EXERCISE ITS)
JURISDICTION PURSUANT TO I.C. 8-1-2.6)

FILED

OCT 30 2003

INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 42479

You are hereby notified that on this date, the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On July 2, 2003, ACN Communication Services, Inc. ("Petitioner") filed its Petition with the Indiana Utility Regulatory Commission ("Commission"), requesting the Commission issue a Certificate of Territorial Authority to provide facilities-based and resold local exchange services to the public within the State of Indiana, including Caller ID services, and for an Order by the Commission declining to exercise its jurisdiction in whole or in part, to the fullest extent allowed by law, under I.C. 8-1-2.6.

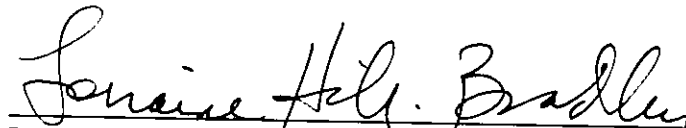
Pursuant to notice and as provided for in 170 IAC 1-1.1-15, a Prehearing Conference in this Cause was held on August 18, 2003. The Petitioner and the Office of Utility Consumer Counselor ("Public") appeared and participated at the Prehearing Conference, and agreed to a procedural schedule in this Cause. On September 25, 2003, the Commission issued a docket entry re-setting the procedural schedule, after being informed by the parties that such action was necessary.

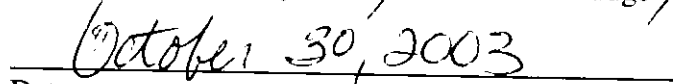
On October 10, 2003, the Presiding Officer received a *Motion for Extension of Procedural Schedule* from the Public, requesting a further revision of the schedule due to persistent discovery difficulties between the parties. The Presiding Officer issued a docket entry on October 14, 2003, resetting the schedule regarding the filing and hearing dates in this Cause. On October 29, 2003, the Presiding Officer received a *Motion for Extension of Procedural Schedule* from the Public, requesting a further revision of the schedule due to settlement and scheduling issues.

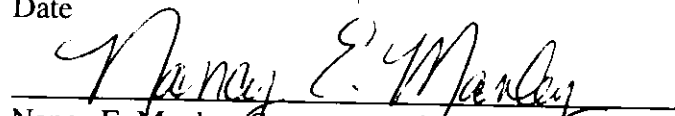
The Presiding Officer in this Cause, being duly advised in the premises, hereby finds that:

1. The Public shall file its testimony on or before noon, November 26, 2003.
2. Petitioner shall file its rebuttal on or before noon, December 3, 2003.
3. The evidentiary hearing is continued until Monday, December 15, 2003 at 9:30 a.m. in Room E306 of the Commission. If Petitioner or the Public have a conflict, counsel shall coordinate and determine appropriate dates, and file a Motion for Continuance, listing specific dates for hearing availability.

IT IS SO ORDERED.


Lorraine Hitz-Bradley, Administrative Law Judge


Date


Nancy E. Manley, Secretary to the Commission